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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/009,995	04/25/2002	Jean-Pierre Glize	216606US2PCT	6868
22850	7590	09/08/2005	EXAMINER	
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			LE, UYEN CHAU N	
			ART UNIT	PAPER NUMBER
			2876	

DATE MAILED: 09/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/009,995

Applicant(s)

GLIZE, JEAN-PIERRE

Examiner

Uyen-Chau N. Le

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 21 June 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 14-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 14-19 and 21-25 is/are rejected.
- 7) ☒ Claim(s) 20 and 26 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Appeal Brief***

1. Receipt is acknowledged of the Appeal Brief filed 21 June 2005. In view of the Appellant's argument with respect to claims 14, 16, 19, 20 and 26, PROSECUTION IS HEREBY REOPENED. New grounds of rejection set forth below.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

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4. Claims 14 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oldenkamp et al (US 4,300,042) in view of Tanaka et al (4,108,364).

Re claims 14 and 23: Oldenkamp et al discloses a magnetic program card/ticket 14, which is a configuration ticket for modifying parametric data in a system (col. 4, line 59 through col. 5, line 56). Although Oldenkamp et al is silent with respect to writing to the magnetic stripe of the configuration card/ticket 14, it is understood that the magnetic stripe of the configuration card/ticket 14 must have been previously written with all necessary configuration parameters before the configuration card/ticket 14 being used to modify parametric data in the system.

Oldenkamp et al is silent with respect to the configuration parameters stored in the magnetic stripe are visibly printed on the configuration ticket.

Tanaka et al teaches a betting ticket having a magnetic stripe for recording betting information on one side, and the same betting information recorded in the magnetic stripe is visibly printed on the other side (fig. 1; col. 2, lines 24-59).

It would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to further employ a printing step for visibly printing the same information that has been encoded within the magnetic stripe as taught by Tanaka et al into the system of Oldenkamp et al in order to provide Oldenkamp et al with a more reliable system wherein the visibly printed information corresponded to information encoded within the magnetic code/barcode, that is, the operator knows exactly which configuration card/ticket is needed/required for adjusting/changing a specific

configuration parameters of a specific machine, thus preventing any unnecessary changes, and therefore reducing labor and time.

5. Claims 15, 19, 21-22 and 24-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oldenkamp et al as modified by Tanaka et al as applied to claim 14 above, and further in view of Hiratuka et al (US 6,092,798). The teachings of Oldenkamp et al as modified by Tanaka et al have been discussed above.

Re claims 15, 19, 21-22 and 24-25: Oldenkamp et al/Tanaka et al has been discussed above but is silent with respect to a magnetic read/write station, a thermal printing station, and a controller; ticket comprising attenuation lines, cutting position being compared visually in relation to attenuation lines; respectively.

Hiratuka et al teaches a man/machine interface device/method for ticket processing comprising a magnetic read/write station 13, a thermal printing station 14, control means 30, means 13a for writing on a magnetic stripe of a ticket 4, means 14 for printing on the ticket 4; wherein the read/write station is configured to read contents of the magnetic strip of the ticket [4, 7] inserted into the ticket processing device; wherein the control means 30 comprise storage means 30b for storing the read information; preparing a thermal printing reference ticket comprising at least one printed reference mark relating to horizontal, vertical framing of thermal printing or to density of a thermal print; inserting into a ticket processing device to be adjusted the thermal printing reference ticket; printing at least one reference scale on the thermal printing reference ticket in relation to the reference mark; and indicating a value of coincidence between an element of the reference scale and the reference mark; cutting position centering

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step, of planning to prepare a reference ticket comprising attenuation lines, the reference ticket being inserted into the ticket processing device to be adjusted and the cutting position being compared visually in relation to attenuation lines; checking step in which elementary movements of the device are proceeded with function by function and/or code line by code line. (figs. 1-6; col. 3, line 55 through col. 9, line 19).

It would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to incorporate a man/machine interface device for ticket processing of Hiratuka et al into the teachings as taught by Oldenkamp in order to provide Oldenkamp with a more reliable system for enclosing all the necessary parameter configurations data printed within an arrangement/margins of the ticket/card, preventing data from being printed out of lines/margins, which cannot be read/seen.

6. Claims 16-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oldenkamp et al as modified by Tanaka et al as applied to claim 14 above, and further in view of Molano et al (US 6,032,135). The teachings of Oldenkamp et al as modified by Tanaka et al have been discussed above.

Re claims 16-18: Oldenkamp et al/Tanaka et al has been discussed above but is silent with respect to capturing information relating to activity of the ticket processing device; storing the captured information; and printing on a statement ticket the stored capture information.

Molano et al teaches the parameter configurations of the printer/system is captured and printed out on a statement ticket (fig. 52; col. 17, lines 13-24).

It would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to incorporate the teachings of Molano et al into the system as taught by Oldenkamp et al/Tanaka et al in order to provide the operator with the additional capability of verifying whether or not the system has been reconfigured with the exact desired parameters, thus providing Oldenkamp et al/Tanaka et al with a more consistent system.

***Allowable Subject Matter***

7. Claims 20 and 26 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
8. The following is a statement of reasons for the indication of allowable subject matter:

The prior art of records to Oldenkamp et al, Tanaka et al, Hiratuka et al, Molano and all other cited references, taken alone or in combination, fails to teach or fairly suggest the specific structure or the method of a man/machine interface device for ticket processing comprising, among other steps/means, means for counting a number of the written elementary reference inscriptions on the magnetic stripe of the reference ticket, up to the reference mark, and deducing from that a distance between optical detection of the transversal edge of the reference ticket and the magnetic inscription as set forth in claim combination.

### ***Response to Arguments***

9. Applicant's arguments with respect to claims 14-26 have been considered but are moot in view of the new ground(s) of rejection.

Newly cited references to Tanaka et al, Hiratuka et al have been used to further meet the newly added limitations of the claims invention.

### ***Conclusion***

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The patents to Skodlar (US 5359183 A) and Desai (US 5493105 A) are cited as of interest and illustrate a similar structure to a man/machine interface method and device for a ticket processing device comprising a magnetic stripe.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Uyen-Chau N. Le whose telephone number is 571-272-2397. The examiner can normally be reached on First Monday 5:30AM-1:30PM and Tues-Fri 5:30AM-3PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on 571-272-2398. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.



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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

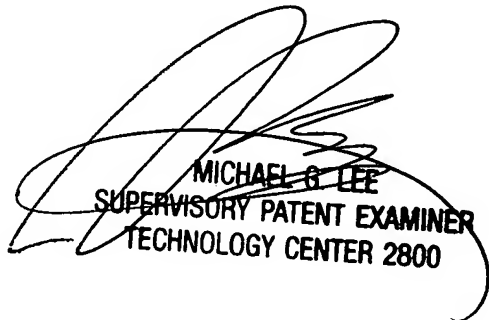


*Vyên-Chau N. Le*

Examiner

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September 6, 2005



MICHAEL G. LEE  
SUPERVISORY PATENT EXAMINER  
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